## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION CIVIL ACTION NO. 3:11-CV-75-MOC-DCK

JOSEPH LACOME,	)	
	)	
Plaintiff,	)	
	)	
<b>v.</b>	)	<u>ORDER</u>
	)	
DAVID JOHNSTON, SHERIFF CHIPP	)	
BAILEY, COUNTY OF MECKLENBURG,	)	
THREE OTHER CURRENTLY	)	
UNKNOWN SHERIFF'S DEPUTIES &	)	
DOES 1-10,	)	
	)	
Defendant.	)	
	)	

THIS MATTER IS BEFORE THE COURT *sua sponte* regarding the filing of "Sheriff Chipp Bailey And Mecklenburg County's Motion For Partial Judgment On The Pleadings; Memorandum Of Points And Authorities In Support Of Motion" (Document No. 7).

In accordance with <u>Roseboro v. Garrison</u>, 528 F.2d 309 (4th Cir. 1975), the Court advises Plaintiff, who is proceeding *pro se*, that he has a right to respond to Defendants' motion. The Court also advises Plaintiff that failure to respond may result in these Defendants being granted the relief they seek, that is, the dismissal of portions of the Complaint.

IT IS THEREFORE ORDERED that Plaintiff may respond to the pending "Sheriff Chipp Bailey And Mecklenburg County's Motion For Partial Judgment On The Pleadings; Memorandum Of Points And Authorities In Support Of Motion" (Document No. 7) on or before **June 13, 2011**. Failure to file a timely and persuasive response will likely lead to the partial dismissal of Plaintiff's lawsuit against Sheriff Chipp Bailey and Mecklenburg County.

Signed: May 25, 2011

David C. Keesler United States Magistrate Judge